



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 10/005,603 | 12/04/2001 | Vincent Carl Harradine | 450110-03697 | 9751 |

20999 7590 09/11/2003

FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER

ABEBE, DANIEL DEMELASH

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2655 | 12 |

DATE MAILED: 09/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

| | | |
|-----------------|------------------|--|
| Application No. | Applicant(s) | |
| 10/005,603 | HARRADINE ET AL. | |
| Examiner | Art Unit | |
| Daniel D Abebe | 2655 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 78-126 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 89-121 is/are allowed.
- 6) Claim(s) 78-88 and 122-126 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 - * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) Interview Summary (PTO-413) Paper No(s). _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other:

Art Unit: 2655

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 78-88 and 122-126 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. (6,085,019) and in view of Allen et al. (5,892,535).

As to claim 78, Ito teaches an A/V data reproducing apparatus connectable to communication network for selectively reproducing A/V material from a recording/reproducing device, comprising:

A control processor for processing request data via a network interface, the request including A/V data; and

A reproducing processor for identifying and retrieving the request data and communicating the retrieved data (Figs.2 and 5; Col.3, line 53-Col.4 line 8). Ito doesn't explicitly teach using two communication network for communicating with the external device. Allen, however, teaches a media server for reproducing requested A/V data from a storage medium located at the server, where the media server includes a plurality of media interface and a first communication means and a second communication means coupled to each interface (Fig.2; Col.16, lines 2-15).

it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to arrange the apparatus' interface in Ito's teaching as claimed, in view of Allen, for the purpose of reducing the network traffic.

Art Unit: 2655

As to claims 79 and 80, Official Notice is taken that the claimed communication network and interface are old and well known in the art and it would have been obvious to one of ordinary skill in the art to include them in Ito's teaching for communication purpose.

As to claims 84-85, Official Notice is taken that display device and touch screen display technology is well known and it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include for allowing user input.

As to claim 87, Official Notice is also taken that UMID is well known in the art for identifying media data in a database.

As to claims 81-83, Ito teaches where each data location is identified and where the system contains a plurality of recording and reproducing apparatus each coupled with local bus (Figs. 1 and 5).

As to claim 86, Ito teaches a control processing circuit for processing user's query (Fig. 2, 34).

Claims 88 and 122-126 are an analogous to the apparatus claims addressed above and rejected for the foregoing reason by Ito in view of Allen.

Allowable Subject Matter

Claims 89-121 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: with respect to claims 89-97, the claims are allowed, because, the prior arts of record don't teach generating more sample images during periods of greater activity within the images represented.

Claims 98-110 are allowed, because the prior arts don't teach the speech activity processor and the content information generator as claimed.

Claims 111-121 are allowed, because, the prior arts of record do not teach the editing processor that is being arranged to combine user selected items of the AV material as claimed.

Response to Arguments

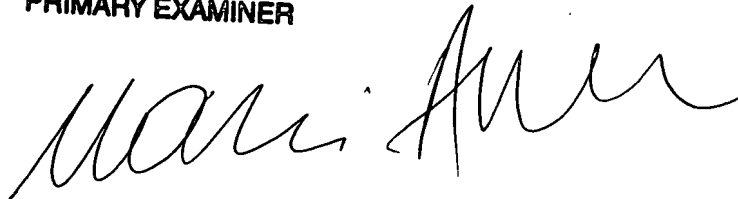
Applicant's arguments with respect to claim 78-88 and 122-126 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel D Abebe whose telephone number is 703-308-5543. The examiner can normally be reached on monday-friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

**DANIEL ABEBE
PRIMARY EXAMINER**

A handwritten signature in black ink, appearing to read 'Dan. Abebe', written in a cursive style.

September 3, 2003